

**NOTICE OF INTENTION (Stock Co-op/LEHC)**

RE 658 Part III (Rev. 9/99)

- Submit this package and one photocopy of page 1 hereof.
- Attach filing fee to photocopy of page 1 hereof.

**PART III — QUESTIONNAIRE****1. GENERAL INFORMATION (1.A–1.O)****A. THIS APPLICATION IS FOR A: [Check box(es)]**

- ☐ FINAL PUBLIC REPORT
- ☐ PRELIMINARY PUBLIC REPORT
- ☐ OVERALL PRELIMINARY PUBLIC REPORT (MULTI-PHASE MAP PROJECTS ONLY)
- ☐ CONDITIONAL PUBLIC REPORT

**B. TYPE OF SUBDIVISION [Check one box in each category]**

- |   |   |
|---|---|
| <input type="checkbox"/> STOCK COOPERATIVE                  | <input type="checkbox"/> NEW CONSTRUCTION |
| <input type="checkbox"/> LIMITED EQUITY HOUSING COOPERATIVE | <input type="checkbox"/> CONVERSION       |

**C. SUBDIVISION IDENTIFICATION AND LOCATION**

NAME OF SUBDIVISION

TRACT NUMBER

NAME TO BE USED IN ADVERTISING

SUBDIVISION LOCATION (address/main access roads/cross streets)

CITY

COUNTY

NEAREST CITY

MILES/DIRECTION FROM CITY

**D. THIS APPLICATION IS BEING SUBMITTED AS: [Check one]**

- ☐ FIRST PHASE OF A MASTER PLANNED DEVELOPMENT (MPD) THAT WILL CONTAIN MULTIPLE OWNERS' ASSOCIATIONS.
- ☐ FIRST PHASE OF A MULTIPLE-PHASE SUBDIVISION WITH ALL PHASES SUBJECT TO ONE OWNERS' ASSOCIATION.
- WILL THIS SUBDIVISION ALSO BE PART OF AN EXISTING MASTER PLANNED DEVELOPMENT?
- ☐ NO
- ☐ YES PROVIDE FILE NUMBER & DEPUTY NAME BELOW.
- ☐ SUBSEQUENT PHASE TO AN EXISTING SUBDIVISION. PROVIDE FILE NUMBER & DEPUTY NAME BELOW.

MASTER FILE # OR MPD FILE # (or MPD name, if number unknown)

DEPUTY ASSIGNED TO MOST RECENT SUBSEQUENT OR MPD PHASE

**E. WILL YOU ALSO FILE WITH HUD? (Refer to Question 1.0)**

- ☐ NO ☐ YES

**F. WERE PRE-APPROVED MASTER MANAGEMENT DOCUMENTS USED?**

- ☐ NO
- ☐ YES MMD # \_\_\_\_\_

**FOR OFFICE USE ONLY**

DATE RECEIVED

FILE NUMBER

AMOUNT REQUIRED

\$

AMOUNT RECEIVED

\$

REFUND AMOUNT

\$

AMOUNT TRANSFERRED

FROM FILE #

FOR INTERESTS

\$

**G. SIZE OF THIS FILING**

NUMBER OF RESIDENTIAL LOTS/UNITS/INTERESTS (Do not count common area lots)

NUMBER OF CO-OP MEMBERSHIPS

NUMBER OF COMMON AREA LOTS

NUMBER OF ACRES IN THIS FILING

LIST COMMON AREA LOT NUMBERS/LETTERS

Check appropriate box(es)

Lots/Units to be: ☐ Sold ☐ Leased☐ All residential lots to be sold vacant☐ All residential lots to be sold with completed residential structures.

Indicate type of structure:

☐ Conventional ☐ Manufactured ☐ Factory-built☐ Residential lots to be sold both vacant and improved with residential structures.☐ Vacant lots to be sold under agreement obligating buyer to enter into construction contract with seller or seller controlled entity.☐ All lots to be sold with age restrictions.**H. WAS A PRELIMINARY (OR OVERALL PRELIMINARY) PUBLIC REPORT ISSUED FOR THIS FILING?**☐ NO If NO, submit basic filing fee, lot fee, 15 address labels for SRP and another 15 for subdivider.

☐ YES If **PRELIMINARY** issued, enter assigned file number below.

If **OVERALL PRELIMINARY** issued (covering all lots in the subdivision), enter assigned file number below and submit basic filing fee (except first phase) and 15 address labels for each party. *Note:* Any difference between originally paid lot fees and the current fees, plus a basic filing fee, must be paid for each filing in a phased project (see RE 605).

\_\_\_\_\_  
[Assigned File Number]**WHEN PUBLIC REPORT IS READY:**

- ☐ MAIL TO SRP
- ☐ CALL SRP FOR PICK-UP

**I. SUBDIVIDER INFORMATION**

NAME \_\_\_\_\_

ATTENTION \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

ZIP CODE \_\_\_\_\_

TELEPHONE NUMBER (INCLUDE A/C) \_\_\_\_\_

FAX NUMBER \_\_\_\_\_

**J. SINGLE RESPONSIBLE PARTY (SRP)**

NAME \_\_\_\_\_

ATTENTION \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

ZIP CODE \_\_\_\_\_

TELEPHONE NUMBER (INCLUDE A/C) \_\_\_\_\_

FAX NUMBER \_\_\_\_\_

**K. HOA BUDGET PREPARER**

NAME \_\_\_\_\_

ATTENTION \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

ZIP CODE \_\_\_\_\_

TELEPHONE NUMBER (INCLUDE A/C) \_\_\_\_\_

FAX NUMBER \_\_\_\_\_

**L. MANAGEMENT DOCUMENTS PREPARER**

NAME \_\_\_\_\_

ATTENTION \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

ZIP CODE \_\_\_\_\_

TELEPHONE NUMBER (INCLUDE A/C) \_\_\_\_\_

FAX NUMBER \_\_\_\_\_

**M. OVERALL PROJECT PLAN** (See Part I, Figure C, for explanation of multiple-maps and phases.)

- 1) This application is for: *(check one box)*  
*(Enter 1st, 2nd, 3rd, etc. and 1, 2, 3, etc. in the spaces below as appropriate.)*
- a) ☐ Single phase project. *(One public report covering the entire project).*
- b) ☐ This is a cooperative project located on a single lot. This is the \_\_\_\_\_ phase of a \_\_\_\_\_ phase project.
- c) ☐ The \_\_\_\_\_ phase of a \_\_\_\_\_ phase project with no additional tract maps.
- d) ☐ This is a multiple-map filing, and this application covers the \_\_\_\_\_ map of \_\_\_\_\_ total single-phase maps.
- e) ☐ This is a \_\_\_\_\_ phase, \_\_\_\_\_ map filing, and this application covers the \_\_\_\_\_ phase of the \_\_\_\_\_ map.

- 2) If “b”, “c”, “d” or “e” is checked above, answer the following questions.

What is the total number of acres in the overall project? ..... \_\_\_\_\_

What is the total number of lots/units in the overall project? ..... \_\_\_\_\_

How many lots/units, other than common area, in the overall project to date, including this filing? ..... \_\_\_\_\_

What is the approximate completion date for the overall project? ..... \_\_\_\_\_

List residential and common area lot numbers/letters for each phase in this overall project plan.

| <i>DRE File Number</i> | <i>Tract Number</i> | <i>Phase</i> | <i>Residential Lot/Unit Number</i> | <i>Common Area Lot Numbers/Letters</i> |
|------------------------|---------------------|--------------|------------------------------------|--|
|                        |                     |              |                                    |  |
|                        |                     |              |                                    |  |
|                        |                     |              |                                    |  |
|                        |                     |              |                                    |  |
|                        |                     |              |                                    |  |
|                        |                     |              |                                    |  |

## N. IMPROVEMENTS

- 1) Number of buildings containing residential units: ..... \_\_\_\_\_
- 2) Estimated completion date of residential units: ..... \_\_\_\_\_
- 3) Estimated completion date of common area improvements and facilities included in this filing: ..... \_\_\_\_\_
- 4) DESCRIBE type of car storage, if any, such as garage, carport or open space, and total number of each type:  
 \_\_\_\_\_  
 \_\_\_\_\_

- O. Will you also file with the HUD Office of Consumer & Regulatory Affairs, Interstate Land Sales/RESPA Division (HUD-OCRA)? ..... ☐ Yes ☐ No

If YES, see instructions in SPRAG and submit contract (Deposit Receipt/Purchase Agreement) with HUD-OCRA required provisions *underlined in red*.

*Note:* If YES and you are considering obtaining a conditional public report, you should be aware that HUD-OCRA has advised the Department of Real Estate that sales of a HUD-OCRA project under the authority of a conditional public report would be unlawful. Also, if a conditional public report is issued, it would be without the HUD-OCRA certification.

## \*2. SUBDIVIDER STATUS [Master File Item]

- A. Is subdivider a California resident? ..... ☐ Yes ☐ No

If a nonresident of the State of California, *submit* an irrevocable consent (original and one copy of appropriate RE 608) that if any action is commenced against the subdivider in the State of California and personal service of process upon the entity or individual cannot be made in this State, a valid service may be made by delivering the Consent To Service of Process (RE 608's) to the California Secretary of State.

- B. Is the subdivider a corporation or limited liability company organized under the laws of a state other than California? ..... ☐ Yes ☐ No

If YES, *submit* a Certificate of Status for the foreign entity to transact business in California, issued by the California Secretary of State.

### 3. LOCATION OF SUBDIVISION SALES RECORDS

|                   |        |                  |
|-------------------|--------|------------------|
| NAME OF CUSTODIAN |        | TELEPHONE NUMBER |
| STREET ADDRESS    |        |                  |
| CITY              | COUNTY | ZIP CODE         |

### 4. CONDITIONAL PUBLIC REPORT

- A. Are you requesting a conditional public report (*B&P §11018.12; Regulation 2790.2*)? ☐ Yes ☐ No

If YES, §11018.12(f) of the Business and Professions Code requires the subdivider or principal to provide a prospective purchaser with a copy of the conditional report together with a written statement which includes the following:

*Note:* If you are considering obtaining a conditional public report and the response to question 1M above is YES, you should be aware that HUD has advised the Department of Real Estate that sales of a HUD project under the authority of a conditional public report would be unlawful. Also, if a conditional public report is issued, it would be without the HUD certification.

- 1) Specification of the information required for issuance of a public report.
- 2) Specification of the information required in the public report which is not available in the conditional public report, along with a statement of the reasons why that information is not available at the time of issuance of the conditional public report.
- 3) A statement that no person acting as a principal or agent shall sell or lease or offer for sale or lease lots or parcels in a subdivision for which a conditional public report has been issued except as provided in this article.
- 4) Specification of the requirements of Section 11018.12.

- B. If you are requesting a conditional public report, provide the name and address of the neutral escrow depository where all purchase money will be impounded, pursuant to Section 11013.2(a) or 11013.4(a) of the Business and Professions Code, until such time as the final public report is furnished to the purchaser.

|  |       |  |
|--|-------|--|
| NAME   |       | CODE SECTION (CHECK ONE)<br><input type="checkbox"/> 11013.2(A)<br><input type="checkbox"/> 11013.4(A) |
| ADDRESS (POST OFFICE BOXES ARE NOT ACCEPTABLE) |       |  |
| CITY   | STATE | ZIP CODE   |

- C. Are you requesting a preliminary public report? ..... ☐ Yes ☐ No

If YES, submit:

- the Reservation Deposit Handling Agreement (RE 612A) completed in sample form and executed with original, not photocopied, signatures of escrow holder and subdivider;

- the Reservation Instrument (RE 612) completed in sample form; and
- an original typed preliminary public report and three pink copies (see Part I, Section VIII for specific instructions).

## 5. ADVERTISING AND PROMOTION *[Master File Item]*

A. Indicate which of the following inducements or representations will be made in the advertising and marketing of subdivision interests (membership shares).

*Note:* If the answer to any of the following questions is YES, enter YES on item 5A (1-8) on Part II.

*Note:* For each YES answer, submit details, copies of all documents proposed to be used, proposed financial arrangements, e.g., bond, letter of credit or escrowing of developer's funds, to carry out these programs, where applicable. Include Escrow Instructions (Promotional Gifts) (RE 609), if item 5A (3) is answered YES. See SPRAG for further details.

- 1) Investment merit or appreciation potential of lots, parcels or units? ..... ☐ Yes ☐ No
- 2) Construction or equipment guarantees, including guarantees to repair latent construction defects which extend beyond one year? ..... ☐ Yes ☐ No
- 3) Gift, free trip, rebates or other similar promotional marketing devices? ..... ☐ Yes ☐ No
- 4) Membership in club or association other than homeowners' association or the use or availability for use, of commercial or recreational facilities (whether within or outside the boundaries of the subdivision) which will not be owned or controlled by the homeowners' association? ..... ☐ Yes ☐ No
- 5) Program or arrangements for resale by purchasers of subdivision interests, money back guarantee or repurchase agreement? ..... ☐ Yes ☐ No
- 6) Program or plan for leasing or renting of subdivision interests on behalf of non-occupying owners? ..... ☐ Yes ☐ No
- 7) Other inducements or representations that will be a part of the sales program including any program, plan or arrangements whereby a purchaser may further divide the interest being offered for sale? ..... ☐ Yes ☐ No
- 8) If subdivision is part of a master planned community, answer YES and submit RE 624E. .... ☐ Yes ☐ No

## \*6. TITLE/MINERAL RIGHTS

A. *Submit* a preliminary report signed by an authorized employee of the title company, or a title policy that shows true condition of title for this subdivision.

B. Is applicant presently in title? ..... ☐ Yes ☐ No

If NO, *submit* evidence of future vesting including a date certain by which title must be conveyed.

1) If NO, will applicant be in title when final public report is issued? ..... ☐ Yes ☐ No ☐ NA

- C. Are there or will there be reservations of water, mineral, oil or gas rights? ..... ☐ Yes ☐ No
- If YES, the sample grant deed (item 40) must reflect reservations.
- D. Have all rights to surface entry been waived? ..... ☐ Yes ☐ No ☐ NA
- If NO, *submit* arrangements for protection against surface entry.
- E. Are there now any mineral rights reserved by the U.S. Government? ..... ☐ Yes ☐ No  
(See SPRAG relative to this question before answering.)
- 1) If YES, are rights of surface entry also reserved? ..... ☐ Yes ☐ No ☐ NA
- a) If YES, will you purchase these rights from the U.S. Government and convey them to each purchaser of a subdivision interest? ..... ☐ Yes ☐ No ☐ NA
- b) If NO, and if this is a subdivision improved with residential structures, will a title insurance policy be issued to each purchaser that includes an endorsement to insure against losses caused by surface entry? (100.29 endorsement) ..... ☐ Yes ☐ No ☐ NA

**\*7. LEASES AFFECTING TITLE** [*Master File Item*]

- A. Are there now any leases which affect title? ..... ☐ Yes ☐ No
- If YES, *submit* a copy of all leases affecting title.

**8. COASTAL ZONE PERMIT OR EXEMPTION** [*Master File Item*]

- A. Is project located within the Coastal Zone? ..... ☐ Yes ☐ No
- If YES, *submit* copy of permit or exemption.

**9. USES, ZONING, HAZARDS, AIRPORTS, NUCLEAR POWER PLANTS** [*Master File Item*]

- A. For what use or uses will the property be offered?
- |  |   |
|--|---|
| <input type="checkbox"/> Single-Family Residential | <input type="checkbox"/> Residential-Income |
| <input type="checkbox"/> Recreational              | <input type="checkbox"/> Agricultural       |
| <input type="checkbox"/> Age Restrictions          |   |
| <input type="checkbox"/> Other (describe) _____    |   |
- B. *Indicate the zoning of the land surrounding this project. (Use descriptive language, NOT CODES. If multi-family, specify type.)*
- |             |             |
|-------------|-------------|
| North _____ | South _____ |
| East _____  | West _____  |
- C. Is the subdivision within two (2) statute miles of any existing airport, or any proposed airport, shown on the general plan of the city or county? ..... ☐ Yes ☐ No
- If YES, *state* name, location and distance to airport(s).

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- D. Are there any significant surrounding property uses that need to be disclosed in the public report? ..... ☐ Yes ☐ No

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- E. Are there or will there be any hazards or unusual conditions in or near this subdivision such as: railroads, rock quarries, oil sumps, high tension wires, open canals, toxic and/or solid waste dumps, freeways, neighboring agricultural production, timber land production, etc.? ..... ☐ Yes ☐ No

If YES, *describe* and give location, direction and distance.

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- F. Has property in or near this subdivision been previously used as a toxic and/or solid waste dump site, oil sump, or for military training purposes? ..... ☐ Yes ☐ No

If YES, *describe* and give location, direction and distance.

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- G. Does this subdivision lie within a Nuclear Power Plant Basic Emergency Planning Zone? (*Counties of San Luis Obispo, San Diego, Orange, Sacramento, San Joaquin and Amador only.*) ..... ☐ Yes ☐ No

If YES, *state* the name of the nuclear power plant and the distance from this subdivision.

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- H. Are you aware of any of the following: Substances, materials, or products which may be an environmental hazard such as, but not limited to, asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, and contaminated soil or water on the subject property? ..... ☐ Yes ☐ No

If YES, *explain*.

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- I. Does the subject project include residential structures built prior to 1978 (do not include properties sold at a foreclosure sale or housing designated for the elderly)? ..... ☐ Yes ☐ No

If YES, pursuant to federal Real Estate Disclosure and Notification Rule (24 CFR Part 35 and 40 CFR Part 745), the seller is required to disclose to prospective buyers that this property may contain lead-based paint and/or lead-based paint hazards as well as provide certain written materials as mandated by current law. The seller is required to offer all prospective buyers an opportunity to conduct a risk assessment for lead-based paint and lead-based paint hazards prior to being obligated under a purchase contract. This risk assessment may be waived by written agreement between buyer and seller. For more information on seller's obligations, you should contact the local office of the Environmental Protection Agency.

- J. Submit a completed RE 619 (Natural Hazard Supplemental Questionnaire).

**10. FIRE PROTECTION** *[Master File Item]*

- A. Will the subdivision be served by fire hydrants? ..... ☐ Yes ☐ No

If NO, *describe* what provisions, if any, are available for fire protection and *identify* the fire protection water source.

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- B. Is the subdivision within five (5) miles of a fire station *and* served by a public fire protection agency (other than volunteer fire department, U.S. Forest Service or California Department of Forestry)? ..... ☐ Yes ☐ No

If YES, *name* the fire protection agency, *state* distance from fire station to project.

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If NO to A or B above, *describe* what fire protection service, if any, is available and *submit* the fire protection agency will-serve letter as outlined in SPRAG. If there is no fire protection service, so state.

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- C. Does this subdivision lie within the boundaries of land classified as State Responsibility Area (wildland area that may contain substantial forest fire risks and hazards) as determined by the California State Board of Forestry pursuant to Section 4125 of the Public Resources Code? ..... ☐ Yes ☐ No ☐ NA

*Note:* Maps of State Responsibility Area's should be on file with the county planning department or county assessor's office.



*Note:* Check NA, if this subdivision is located in any of the following counties: Kern, Los Angeles, Marin, Orange, San Francisco, Santa Barbara, Sutter or Ventura.

If YES, submit a will-serve letter from fire protection agency, if any, providing structural fire protection and a will-serve letter from the appropriate Ranger Unit of the California Department of Forestry as to wildland fire protection. If the California Department of Forestry is the sole provider of fire protection, the will-serve letter requested under item 10B above will suffice.

## 11. SEWAGE DISPOSAL [Master File Item]

A. Will the project use public sewers? ..... ☐ Yes ☐ No

If YES, *list* the name of the sewer system and the service charge per interest. .... \$ \_\_\_\_\_

B. Will the project use private sewers? ..... ☐ Yes ☐ No

If YES, *comply* with 1, 2 and 3 below.

1) Furnish the name and address of the sewer entity.

|         |       |          |
|---------|-------|----------|
| NAME    |       |          |
| ADDRESS |       |          |
| CITY    | STATE | ZIP CODE |

2) *Submit* evidence of financial arrangements for installation of the sewer system OR verification that it is already installed.

3) *Submit* evidence of clearance by the Public Utilities Commission, if applicable.

C. Will the purchaser be responsible for any of the following public/private sewer system costs (*excluding septic systems*):

1) Installation of system? ..... ☐ Yes ☐ No

If YES, *state* estimated cost per interest. .... \$ \_\_\_\_\_

2) Extension to lot/unit? ..... ☐ Yes ☐ No

If YES, *state* estimated cost per interest. .... \$ \_\_\_\_\_

3) Hook-up fees for vacant lots (including meter or other fees)? ..... ☐ Yes ☐ No

If YES, *state* estimated cost per interest. .... \$ \_\_\_\_\_

D. Will the project use septic systems or other individual sewage systems? ..... ☐ Yes ☐ No

If YES, *submit* a letter from the local health authority stating that a septic tank or other individual sewer system is the acceptable method of sewage disposal and will be permitted on *each and every lot* included in the application. If the letter from the local health authority does not specify that *each and every lot* is suitable for the proposed sewage

disposal system, the sample escrow instructions and the sample sales agreement must provide that no sale will be closed until the purchaser has received a written opinion, satisfactory to the purchaser, from the local health authority, a registered civil engineer or geologist, that the lot/parcel is suitable for installation of a septic system or other individual sewer system and a permit would be issued on the date of the opinion, if an application for a permit were made in compliance with local permit requirements on that date.

If *purchaser* is to pay for installation, *state* estimate of cost and date estimate was made.  
If none, so state. ....

\$ \_\_\_\_\_

(Date) \_\_\_\_\_

## 12. SOILS, FILLED GROUND & GEOLOGICAL INFORMATION [Master File Item]

- A. Give the name and street address of the local *public agency* where information concerning soil conditions and/or filled ground, and/or geologic condition, in this project will be available. If such reports were not prepared *specific* to this subdivision, fill-in “none”.

|   |
|---|
| NAME OF SOILS PUBLIC AGENCY             |
| ADDRESS                                 |
| NAME OF FILLED GROUND PUBLIC AGENCY     |
| ADDRESS                                 |
| NAME OF GEOLOGICAL REPORT PUBLIC AGENCY |
| ADDRESS                                 |

- B. *Soils Report* — Check applicable box:

- ☐ Conversion project — soils report not required.  
☐ Soils report waived.  
☐ NA

- C. If vacant lots will be offered, will there be any special costs incurred by the lot buyer as a result of the installation of a building foundation or any other construction due to unusual soil conditions? (*Note: Check NA, if no vacant lots will be offered.*) .....

☐ Yes ☐ No ☐ NA

If YES, *explain* and *provide* an estimate of such costs:

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- D. *Fill* — Check applicable box:

- ☐ There will be no fill in excess of two feet.  
☐ Some lots have or will have fill in excess of two feet.  
☐ All lots have or will have fill in excess of two feet.

**13. NOT APPLICABLE TO RE 658.**

**14. WATER SUPPLIER** *[Master File Item]*

*(If WELLS, answer NA to questions 14A-14D and go on to 14E.)*

A. State name and address of water supplier:

|               |
|---------------|
| SUPPLIER NAME |
| ADDRESS       |

B. Water supplier:

1) Is water supplier one of the following? ..... ☐ Yes ☐ No

If YES, check appropriate box.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> municipality               | <input type="checkbox"/> county water district | <input type="checkbox"/> irrigation district  |
| <input type="checkbox"/> community service district |  | <input type="checkbox"/> state water district |

2) Is water supplier a mutual water company? ..... ☐ Yes ☐ No

a) If YES, was the mutual water company formed prior to January 1, 1998? ..... ☐ Yes ☐ No ☐ NA

(1) If YES, submit either a copy of the current permit to issue shares granted by the Department of Corporations or all of the items under (2) below.

(2) If NO, submit all of the following:

- Executed RE 699B (Mutual Water Company Certification);
- A copy of the certificate of the Director of Public Health as required by Sections 116300 to 116385 of the Health and Safety Code;
- A copy of the statement signed either by the engineer who prepared the engineer's report pursuant to Section 14312(a)(7) of the Corporations Code or a person employed or acting on behalf of the public agency or other independent qualified person, that the water supply and distribution system has been examined and tested and operates in accordance with the design standards of Chapter 2, Part 7 of Division 3, Title 1 of the Corporations Code; and
- Evidence of completion of the water supply and distribution system which will serve all lots to be covered by the public report.

b) Will purchaser have to pay to acquire shares? ..... ☐ Yes ☐ No ☐ NA

If YES, state an estimate of the total per interest cost to secure water service: \$\_\_\_\_\_

3) Is water supplier a public utility? ..... ☐ Yes ☐ No

a) If YES, is it one of the exempt suppliers listed here? ..... ☐ Yes ☐ No ☐ NA

|                               |                                 |
|-------------------------------|---------------------------------|
| American Water Co.            | San Gabriel Valley Water Co.    |
| California American Water Co. | San Jose Water Co.              |
| California Water Service Co.  | Santa Clarita Water Co.         |
| Del Este Water Co.            | Southern California Water Co. * |
| Dominguez Water Co.           | Suburban Water Systems          |
| Great Oaks Water Co.          |                                 |

\* Except for California Cities Water Company in the Los Osos District.

If NO, submit confirmation of PUC approval. See SPRAG for details.

C. Have water lines been, or will they be, installed by the subdivider? ..... ☐ Yes ☐ No ☐ NA

1) Was a Master Geographic Letter in effect at the time the subdivision map was conditionally approved by the city or county which covered installation of water lines? ..... ☐ Yes ☐ No ☐ NA

a) If NO, *submit* a letter from the water supplier including:

(1) A statement that financial arrangements for installation of water lines have been made.

(2) Ample water for *normal* use and fire protection (if any) will be available.

(3) Water will be furnished on demand, without exception, to each and every lot, OR, if there are exceptions, *list* the lots excepted and the reason(s) for the exceptions.

(4) Water is potable.

b) If YES, did the Master Geographic Letter indicate that domestic water to be served to residents in this subdivision is potable, and there is ample water for normal use to serve each and every lot/unit on demand and for fire protection? ☐ Yes ☐ No ☐ NA

(1) If NO, submit a letter from the water supplier including the information in 14C1(a)(2), (3) and (4).

c) *State* approximate date water system is expected to be completed. .... (Date) \_\_\_\_\_

d) Will purchaser have to pay for installation of service to dwelling? ..... ☐ Yes ☐ No ☐ NA

If YES, *state* approximate cost. .... \$ \_\_\_\_\_

D. Will the purchaser have to pay for installation of water lines? ..... ☐ Yes ☐ No ☐ NA

If YES, *submit* a letter from the water supplier indicating:

1) It will supply water to this subdivision.

2) Approximate present cost to install water lines from nearest water main to farthest lot/unit to be included in the offering.

3) Ample water for NORMAL household use and fire protection (if any) is available.

4) Water will be furnished on demand, without exception, to each and every lot/unit.

5) Water is potable.

E. Will the purchaser have to drill a well? ..... ☐ Yes ☐ No ☐ NA

If YES, comply with 1, 2 and 3 below:

1) *Submit* the following:

a) A letter from a California licensed well driller giving estimated cost for drilling and casing a well, cost of pressure pump and system and any required conditioning equipment; and depth at which water may be found.

b) A letter from local health authority stating that individual wells will be permitted; the type of sewage disposal system permissible with wells on the size of lot proposed; and that the water is potable.

- 2) Is a geologist's report as to availability of underground water required by local authorities? ..... ☐ Yes ☐ No ☐ NA

If YES, *submit* report. Upon review of your file, the Department may require a geologist's report even if one is not required by local authorities.

- 3) Are there any special requirements or conditions imposed by local city/county authorities for the installation of individual wells? ..... ☐ Yes ☐ No ☐ NA

If YES, *submit a* statement or notice from the local authority citing the special requirements or conditions.

*Note:* Subdivider should check with the local authorities to determine if there is a requirement that a well must be installed on each lot at the subdivider's expense prior to closing the escrow or, alternatively, that a statement from the purchaser must be obtained waiving installation of the well as a condition of sale. If the subdivider must/will install a well on each lot and the offering is vacant lots, submit exhibit 14E(1)(b) and verification of installation or pertinent escrow instructions.

## 15. SERVICES AND SCHOOLS [Master File Item]

A. Complete the following information regarding utilities:

|                   |                  |
|-------------------|------------------|
| GAS COMPANY       |                  |
| CITY              | TELEPHONE NUMBER |
| ELECTRIC COMPANY  |                  |
| CITY              | TELEPHONE NUMBER |
| TELEPHONE COMPANY |                  |
| CITY              | TELEPHONE NUMBER |

B. Will the subdivider extend the above-listed gas, electric and telephone lines to the project?  
(*Note: If utility supplier lines are already adjacent to the project, mark NA.*)

- 1) Gas ☐ Yes ☐ No ☐ NA  
2) Electric ☐ Yes ☐ No ☐ NA  
3) Telephone ☐ Yes ☐ No ☐ NA

For each YES answer to B1, 2 or 3, *submit* evidence of financial arrangements for extension/installation.

C. Will the purchaser have to pay the cost for installation and/or extension of utility service from the suppliers named above, other than a normal connection charge?

- 1) Gas ☐ Yes ☐ No ☐ NA  
2) Electric ☐ Yes ☐ No ☐ NA  
3) Telephone ☐ Yes ☐ No ☐ NA

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If YES, to C1, 2 or 3 above, *submit* a letter from the appropriate utility company estimating the cost to purchaser of bringing service to the farthest lot/ unit in the tract, and stating distance of free extension and extension cost per foot.

- D. Has a statement been approved by the school district (*one for each school district serving the subdivision*) that shows the location of every school serving the subdivision? ..... ☐ Yes ☐ No

If YES, submit the statement.

If NO, submit documentation that a statement to that effect was asked of the governing body of the school district and a copy of the letter requesting this information.

## 16. OFF-SITE IMPROVEMENTS [Master File Item]

- A. List the off-site improvements which the subdivider is/was required to construct for this subdivision, such as streets, drainage, cable television, etc. If none, so state.

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- B. Will off-site improvements be covered by an agreement with the local governing body secured by a bond, cash deposit or instrument of credit? ..... ☐ Yes ☐ No ☐ NA

*Note:* If the city or county has a current Master Geographic Letter (MGL) on file with the Department of Real Estate which *specifically* covers each improvement listed above, check NA.

- 1) If YES, *submit* the agreement(s) and copy of the bond(s), instrument(s) of credit, or evidence(s) of cash deposit.
- 2) If NO, *submit* evidence that adequate financial arrangements have been made for all off-site improvements included in the offering or *submit* evidence of completion.

- C. *State* the amount of indebtedness, if any, which is a lien upon the subdivision or any part thereof under provisions of Section 66499(a)(4) of Government Code (Map Act), and which was incurred to pay for the construction of any off-site improvements. .... \$ \_\_\_\_\_

## 17. FLOOD AND DRAINAGE [Master File Item]

- A. Is this project covered by a current Master Geographic Letter (RE 665), containing a flood clause, on file with the DRE? ..... ☐ Yes ☐ No

If NO, *submit* a report on flood and drainage conditions from the local flood control agency or a similar authority.

*Note:* If the local flood agency will not issue a report until after final map approval, *submit* a statement to that effect, signed by the subdivider, and tabbed as 17A. Then *submit* the report as soon as it is available (prior to issuance of the final public report).

- B. Is the project located within the San Joaquin and/or Sacramento Drainage Districts?... ☐ Yes ☐ No

If YES, *submit* evidence that the property does not lie within the areas covered by floodway or flood plain maps of the Reclamation Board.

- C. Were you required to secure an approved application from the Reclamation Board for work within or near the channel of any stream or other areas subject to flooding? ..... ☐ Yes ☐ No ☐ NA

**18. TAXES, SPECIAL DISTRICTS AND SPECIAL ASSESSMENT DISTRICTS [Master File Item]**

A. Taxes.

- 1) What is the tax area code for this subdivision? ..... \_\_\_\_\_
- 2) What is the total tax rate for this subdivision (use the most recent tax rate information available)? ..... \_\_\_\_\_ (tax yr.)

- B. Does this project lie within a landscape lighting district (LLD) or a county service area (CSA)? ..... ☐ Yes ☐ No

- 1) If YES, name and describe the function of the LLD or CSA.

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- 2) Name the administrating agency of this district.

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- 3) What is the assessment for the current tax year? ..... \$ \_\_\_\_\_
- What is the anticipated assessment if not currently assessed? ..... \$ \_\_\_\_\_

- 4) Does this district or agency have authorized but unissued bonds? ..... ☐ Yes ☐ No ☐ NA

If YES, submit RE 624C.

- C. 1) Does the project lie within a community facilities district? ..... ☐ Yes ☐ No

- 2) If YES, name the district(s) and if the district has not yet formed complete RE 624C.

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- 3) The annual assessment for tax year \_\_\_\_\_ is: (indicate range, if amounts vary) .. \$ \_\_\_\_\_

- 4) Will the subdivider provide a copy of the Notice of Special Tax Lien to each purchaser? ..... ☐ Yes ☐ No ☐ NA

- D. 1) Does this project lie within a special district or special assessment district? ..... ☐ Yes ☐ No

- 2) If YES, name and describe function of the district and submit RE 624C.

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3) If D1 was answered YES, does this district have any authorized but unissued bonds? ☐ Yes ☐ No ☐ NA

If YES, submit RE 624C.

What is the current per interest assessment for this district(s)? ..... \$ \_\_\_\_\_  
\_\_\_\_\_ (tax yr.)

## 19. STREETS, COMPLETION AND MAINTENANCE [Master File Item]

- A. Describe the roads within (interior) and to (access) the subdivision with some specificity (e.g. gravel, bladed, county standard asphalt, decomposed granite, etc.). Also describe any special conditions (e.g. road maintenance agreement, not improved to county maintenance standard, not regularly snow-plowed in winter, subject to flooding in rainy season, etc.).

Access: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Interior: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

- B. Are all streets (including driveways or easements which provide access) to the subdivision maintained by a public agency (city, county, etc.)? ..... ☐ Yes ☐ No

- C. Are all streets (including driveways or easements which provide access) to the individual lots/units within the subdivision maintained by a public agency (city, county, etc.)? ... ☐ Yes ☐ No

- D. Are there streets in or to the subdivision which are neither publicly maintained, nor homeowners' association maintained? ..... ☐ Yes ☐ No

If YES, *submit* a registered civil engineer's letter stating the total number of linear feet of streets to be privately maintained, the annual cost per linear foot to maintain, the per lot annual maintenance obligation and the information requested in 19A.

- E. Will all streets be fully improved at the time of final map approval? ..... ☐ Yes ☐ No

- 1) If NO, is there a Master Geographic Letter on file which includes financial assurances for street completion? ..... ☐ Yes ☐ No ☐ NA

If NO, *submit* evidence of adequate financial arrangements to assure completion of streets.

## \*20. PURCHASE MONEY HANDLING

- A. Is this a stock cooperative? ..... ☐ Yes ☐ No

- B. If yes, will the project be subject to blanket encumbrances? ..... ☐ Yes ☐ No ☐ NA

*Note:* As defined by Section 11013, a blanket encumbrance is considered to mean a trust deed or mortgage or any other lien or encumbrance, mechanic's lien or otherwise, securing



or evidencing the payment of money and affecting land to be subdivided or affecting more than one lot or parcel of subdivided land, or an agreement affecting more than one such lot or parcel by which the owner or subdivider holds said subdivision under an option, contract to sell or trust agreement.

If yes, describe how many encumbrances, how you propose to provide protection to non-defaulting tenant shareholders in accordance with Section 2792.14 of the Regulations of the Commissioner, and indicate which of the following will apply:

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- 1) The blanket encumbrance or other supplementary agreement contains an unconditional release clause which, by its terms, unconditionally provides that the cooperative corporation can obtain legal title or other interest contracted for, free and clear of such blanket encumbrance, upon compliance with the terms and conditions of the purchase. .... ☐ Yes ☐ No ☐ NA
- 2) The blanket encumbrance or supplementary agreement does not contain an unconditional release clause, but the entire sum of money paid or advanced by the purchaser or lessee of any membership in the corporation or such portion thereof as the Commissioner shall determine is sufficient to protect the interest of the purchaser or lessee, shall be deposited into an escrow depository acceptable to the Commissioner until either [B&P Code §11013.2a, 11013.2d]:
- a) A proper release is obtained from such blanket encumbrance and the project is conveyed to the cooperative corporation free of liens and encumbrances and the membership interests are conveyed to the purchasers; or
- b) Either the owner or subdivider or the purchaser or lessee may default under their contract of sale or lease and there is a determination as to the disposition of such monies; or
- c) The owner or subdivider orders the return of such monies to such purchaser or lessee. .... ☐ Yes ☐ No ☐ NA

If YES, list where purchase money will be impounded.

|                                   |       |          |
|-----------------------------------|-------|----------|
| ESCROW NAME                       |       |          |
| ADDRESS (P.O. BOX NOT ACCEPTABLE) |       |          |
| CITY                              | STATE | ZIP CODE |

- 3) The blanket encumbrance or supplementary agreement does not contain an unconditional release clause, but the title to the project is to be held in trust under an agreement of trust acceptable to the Commissioner until a proper release from such blanket encumbrance is obtained and the project is conveyed to the cooperative corporation free of liens and encumbrances and the memberships are conveyed to the purchasers. [B&P Code §11013.2b] ..... ☐ Yes ☐ No ☐ NA

If yes, submit a copy of the trust agreement and list trustee.

|                                   |       |          |
|-----------------------------------|-------|----------|
| TRUSTEE NAME                      |       |          |
| ADDRESS (P.O. BOX NOT ACCEPTABLE) |       |          |
| CITY                              | STATE | ZIP CODE |

- 4) The blanket encumbrance or supplementary agreement does not contain an unconditional release clause; however, a financial guaranty in favor of to the State of California will be furnished to the Commissioner for the benefit and protection of purchasers or lessees of such units, in such amount and subject to such terms as may be approved by the Commissioner, which shall provide for the return of the monies paid or advanced by any purchaser or lessee, for or on account of the purchase or lease of any such unit. If a proper release from such blanket encumbrance is obtained; provided, however, that if it should be determined that such purchaser or lessee, by reason of default or otherwise, is not entitled to the return of such monies, or any portion thereof, then such security shall be exonerated to the extent of the amount of such monies, to which such purchaser or lessee is not entitled. [B&P Code §11013.2c]

☐ Yes ☐ No ☐ NA

*Note:* All purchase money received under the authority of a conditional public report must be placed in a neutral escrow depository per Section 11013.2a or 11013.4a. Refer to question 4 for identification of the escrow depository to be used under a conditional public report.

If yes, submit a bond (RE 600), blanket bond (RE 600A), letter of credit (RE 600J) or set-aside (RE 600I), along with instructions to depository (RE 600H). Indicate where monies received in excess of the security amount will be impounded, or as required per Regulation 2792.13.

|                                   |       |          |
|-----------------------------------|-------|----------|
| ESCROW NAME                       |       |          |
| ADDRESS (P.O. BOX NOT ACCEPTABLE) |       |          |
| CITY                              | STATE | ZIP CODE |

- 5) The blanket encumbrance or supplementary agreement does not contain an unconditional release clause, but the encumbrance is insured by the Federal Housing Administration, and the stock cooperative has issued preferred stock to or entered into a regulatory agreement with the Federal Housing Commissioner, which agreement provides for establishing and maintaining a general operating reserve. [B&P Code §11013.2d & Regulation 2792.14] .....

☐ Yes ☐ No ☐ NA

If yes, submit a copy of regulatory agreement.

- 6) None of the provisions in paragraphs "1" through "4" above are applicable to the blanket encumbrances that will remain on this project. ....

☐ Yes ☐ No ☐ NA

If yes, the beneficiaries of all blanket encumbrances will furnish:

- a) An agreement they will not accelerate their loan due to other liens or encumbrances being placed against the property; and

- b) The beneficiaries of the blanket encumbrances have furnished a covenant of non-disturbance of non-defaulting tenant-shareholder-members in the event of foreclosure on the property; and
- c) Have subordinated their loans to documents creating the stock cooperative corporation; or
- d) The subdivider-developer has placed sufficient funds in an irrevocable escrow account with provisions for full payment of all existing encumbrances in the event of acceleration of the blanket encumbrances by the beneficiaries.

C. Is this a limited equity housing cooperative? ..... ☐ Yes ☐ No

If YES, will it be subject to a blanket encumbrance? ..... ☐ Yes ☐ No

*Note:* If YES, the blanket encumbrance may remain on the project, subject to provisions of Section 11018.5(c) of the Business and Professions Code. The blanket encumbrance ☐ will ☐ will not be subordinated to the documents creating the limited equity housing cooperative.

D. What is the pre-sale percentage for escrow closings? [Reg. 2792.13] ..... %

E. Are there any conditions or provisions in any document which may limit the use or occupancy of the units being offered? ..... ☐ Yes ☐ No

If yes, list the documents and submit copies.

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F. Does the owner, subdivider or agent have an interest equal to, or greater than, 5% ownership in the escrow entity shown above? ..... ☐ Yes ☐ No

If YES, see SPRAG regarding Section 2995 of the Civil Code.

**\*21. REAL PROPERTY SALES CONTRACTS [Master File Item]**

A. Do you intend to use real property sales contracts with installment payments (also known as contracts of sale or land contracts), other than Cal-Vet loans? ..... ☐ Yes ☐ No

If YES, see SPRAG for details and submit sample documents.

**\*22. EVIDENCE OF ENVIRONMENTAL IMPACT EVALUATION BY LOCAL GOVERNMENT [Master File Item]**

A. Is this project a conversion of an existing structure? ..... ☐ Yes ☐ No

1) If NO, has a final environmental impact report (EIR) been issued? ..... ☐ Yes ☐ No ☐ NA

- a) If YES, *submit* the Notice of Determination, *and* the Summary of Findings section of the final EIR *and*, if any, the Statement of Overriding Considerations.

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- b) If NO, *submit* the Notice of Determination and the Summary or Findings section of the draft EIR *or* a copy of the Negative Declaration *or* other evidence of filing of a Negative Declaration *or* a statement from the lead agency that the project is *exempt* from California Environmental Quality Act (CEQA). In any event, evidence of CEQA compliance is required prior to issuance of the public report. (Check NA if the subdivision map was recorded prior to the enactment of CEQA in 1970.)

## 23. SAMPLE DEPOSIT RECEIPT/AGREEMENT TO PURCHASE

- A. Will purchasers receive a membership in the cooperative corporation and a lease of their unit/space? ..... ☐ Yes ☐ No
- B. Will purchasers receive a fractional undivided interest in the common areas? ..... ☐ Yes ☐ No
- If YES, provide a list of the fractional undivided interests in the common areas to be granted. If fractional interests are unequal, explain how fractional interest to be determined.
- C. *Submit* copies of all instruments to be used in conveying/leasing cooperative interests to purchasers (lease, membership certificate, occupancy agreement, lease assignments, subscription agreement, etc.) completed in sample form to show the substance of a typical transaction. Fully describe method of such conveyances. The instruments are to be signed by the subdivider to affirm that all such instruments will conform to the sample.
- D. If a conditional public report will be issued the purchase agreement must provide for the return of the entire sum of money paid or advanced by the purchaser if the final subdivision public report has not been issued within six months of the issuance date of the conditional public report or the purchaser is dissatisfied with the final public report because of a change pursuant to Section 11012. In addition, all purchase money received under the authority of a conditional public report must be placed in a neutral escrow depository per Section 11013.2a or 11013.4a.

## 24. FINANCING

- A. Is the project completed? ..... ☐ Yes ☐ No
- If no, submit a detailed statement of the plans for financing of the project including financial arrangements to assure completion of the project including all off-site and on-site improvements. The statement should include the following:
- 1) Acquisition cost of the land.
  - 2) Total cost of improvements.
  - 3) Total estimated cost of the project.
  - 4) Number of membership shares to be offered for sale.
  - 5) Amount to be obtained from sale of 100% of memberships.
  - 6) Amount of construction loan.
  - 7) Total estimated funds.
- B. Has loan commitment been made? ..... ☐ Yes ☐ No
- If yes, answer the following and submit copies of all agreements between applicant and lender:
- 1) From whom will loan funds be obtained?

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2) If new construction, what percentage of subscriptions must be obtained before the construction loan is granted? .....

3) Will the property to be owned by the cooperative be subject to a mortgage or deed of trust (blanket encumbrance)? .....

☐ Yes ☐ No

If YES, provide assurance that a membership interest will not be adversely affected by foreclosure or acceleration of the blanket encumbrance (Regulation 2792.14).

C. 1) Describe total plan of financing sales of memberships to purchasers.

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2) Submit copies of all documents to be used in the financing of sale to cooperative corporation or LEHC and financing sales of membership interests to the public.

3) Is this a limited equity housing cooperative? .....

☐ Yes ☐ No

If yes, answer (a) and (b) below.

a) Membership fee represents what percentage of the value of the unit? .....

\_\_\_\_\_%

b) By what means was the fee calculated? (See H&S Code, Section 33413.7.) ....

**\*25. SAMPLE GRANT DEED** *[Master File Item]*

A. Will you be offering only leasehold estates? .....

☐ Yes ☐ No

If NO, *submit* a copy of the proposed grant deed for conveyance of the project to the cooperative corporation *completed in sample form*.

See SPRAG for details.

**\*26. LEASING/RENTING** *[Master File Item]*

A. Is it your present intention to rent any units in this subdivision after beginning the sale of memberships? .....

☐ Yes ☐ No

If YES, approximately how many units do you intend to rent, rather than to sell? .....

B. Will the subdivider be offering lease options or leasehold estates for terms of one year or longer? .....

☐ Yes ☐ No

If YES, *submit* proposed copies of the lease and/or lease option *completed in sample form*, and, if known, indicate the approximate number of units to be leased. ....

**\*27. SUBDIVISION MAP** *(cc for DBP) [Master File Item]*

A. Is this a stock cooperative conversion? .....

☐ Yes ☐ No

If YES, are you submitting a recorded subdivision map or waiver at this time? .....

☐ Yes ☐ No

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If NO, *submit* a tentative map and *submit* evidence of tentative map approval.

A recorded map or waiver must be submitted before a final public report can be issued.  
(Required only for stock cooperative conversion.)

- B. Is there additional information pertinent to this subdivision filed or recorded in the city or county which is not fully set forth on the recorded map, i.e., a “separate document” or “additional map sheet” pursuant to Government Code §66434.2? ..... ☐ Yes ☐ No

If YES, submit a complete set of copies of any and all such “separate documents” or “additional map sheets”.

- C. Is this a vacant lot offering? ..... ☐ Yes ☐ No

- 1) If YES, will any special fees be charged to the lot purchaser when said purchaser obtains a building permit or prior to occupancy for school impact, sewer, water, drainage, traffic mitigation, park, street tree, transportation improvement, fire and/or police department impact, etc.? ..... ☐ Yes ☐ No

- 2) If YES, will there be any special building requirements imposed upon a purchaser due to any existing hazards or uses on or near the property or due to any natural hazard area? ..... ☐ Yes ☐ No

If YES, describe.

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**\*28. COOPERATIVE PLAN** (*cc for DBP*)

- A. Will local agency require a cooperative (diagrammatic) plan? ..... ☐ Yes ☐ No

If NO, how will exclusive use areas be identified?

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If YES, *submit* a proposed large-scale, dimensioned, cooperative plan with definition page.

A recorded cooperative plan (including definition page) must be submitted before a final public report can be issued.

**\*29. PLOT PLAN** (*cc for DBP*) [*Master File Item*]

- A. *Submit* a large scale, legible plot plan (site plan) showing all improvements, including location of recreational amenities and boundaries of future phases, if any.

*Note:* In certain cases the map itself may serve as a plot plan. If that is the case, also attach Tab 29 to the map to show that it is submitted for both, items 27 and 29.

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**30. VICINITY MAP** (*cc for DBP*) [*Master File Item*]

- A. *Submit* a large scale, legible vicinity map showing the location of the subdivision and identifying “landmarks” to help locate the subdivision.

**31. RE 624A/COMMON AREA** (*cc for DBP*)

- A. *Submit* a completed RE 624A for any common areas and common facilities covered in this application. (If a phased project, *submit* a separate RE 624A for each phase containing common facilities.)

- 1) Indicate below how the following services will be classed (community, individual facilities or a combination of both):

|                         | <i>Individual</i>        | <i>Common</i>            | <i>Combination</i>       |
|-------------------------|--------------------------|--------------------------|--------------------------|
| Hot Water System        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Heating System          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Air Conditioning System | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (Describe)        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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- 2) Indicate below how the following facilities are to be billed:

|                  | <i>Individual</i>        | <i>Common</i><br><i>(thru corporation)</i> | <i>Combination</i>       |
|------------------|--------------------------|--|--------------------------|
| Water            | <input type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/> |
| Gas              | <input type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/> |
| Electric         | <input type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/> |
| Sewage Disposal  | <input type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/> |
| Garbage          | <input type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/> |
| Cable Television | <input type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/> |
| Other (Describe) | <input type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/> |

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- B. Will facilities be open for public use? ..... ☐ Yes ☐ No

If YES, *submit* an attachment/statement describing the facilities and the fees which will be charged for the use of each facility.

- C. If there is a common area lot to be owned by the homeowners’ association on which construction will *not* be completed prior to conveyance to the HOA, will the subdivider provide liability insurance to protect the HOA during construction (and protection to cover individual unit purchasers in a single lot phased condominium project)? ..... ☐ Yes ☐ No ☐ NA

If YES, indicate the amount: ..... \$ \_\_\_\_\_

See SPRAG for “Special Note,” if the answer is NO or the amount is less than \$1,000,000.

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## 32. COMPLETION OF COMMON AREAS AND FACILITIES [§11018.5]

*Note:* See SPRAG for sample escrow instruction language.

- A. [§11018.5(a)(1)] Is this a “cluster housing” type cooperative project? ..... ☐ Yes ☐ No ☐ NA

*Note:* Answer NA if project is completed or will be completed prior to the issuance of the final public report.

If YES, *submit* evidence of arrangements that have been made to assure completion of all on-site improvements, both common and individually owned. (Financial arrangements include recognized lender’s commitment to finance all the construction work pursuant to Section 11018.5(a)(1) or evidence that the subdivider has his own funds for completion of the development work. See SPRAG for options.)

- B. [§11018.5(a)(2)] Will all common area improvements including any residential units be completed prior to issuance of the public report? ..... ☐ Yes ☐ No ☐ NA

*Note:* Check YES, if this project is a cooperative conversion with *absolutely* no renovation work to be done and no common area improvements to be added.

- 1) If YES, upon completion, *submit* a copy of notice of completion bearing evidence of recordation and answer NA to all remaining points under 32B.

*Note:* If you answer YES to 32B, the public report will not be issued until the notice of completion is submitted, even if all other requirements for issuance have been met. If obtaining the notice of completion will delay the issuance of the public report, you are advised to answer NO to this question and to comply with requirements for assurance of completion specified in 32B(2).

- 2) If NO, select *one* method of compliance cited below that will be used to comply with Section 11018.5(a)(2). All security devices must be accompanied by a security agreement and escrow instructions

- a) I will utilize Subsection A of Section 11018.5(a)(2) of the Business and Professions Code (RE 611 BOND) (CC for DBP). ..... ☐ Yes ☐ No ☐ NA

If YES, *submit* a copy of completed RE 611 A for this filing and proforma security agreement and escrow instructions. (It is not necessary to submit proposed instruments if **unmodified** DRE forms will be used.)

- (1) If “cluster” type construction, does the amount of the security cover the cost of all improvements and cluster residential structures not completed at time of issuance of the public report? ..... ☐ Yes ☐ No ☐ NA

*Note:* If NO, buyers escrow instructions must include appropriate provisions to assure completion of the residential structures prior to first close of escrow.

- b) I will utilize Subsection B of Section 11018.5(a)(2) of the Business and Professions Code, escrow instructions *or* the “621 Procedure” escrow instructions. (*Specify which one.*) ..... ☐ Yes ☐ No ☐ NA

If YES, *submit* escrow instructions or *submit* RE 621.

☐ Escrow Instructions  
☐ 621 Procedure



- c) I will utilize Subsection D of Section 11018.5 of the Business and Professions Code. .... ☐ Yes ☐ No ☐ NA

If YES, *submit* a copy of the proposed title insurance endorsement that insures against any mechanic's liens that may be incurred as a result of construction in this phase or any future phases of the project, whether the construction is performed by the present subdivider or any successor-in-interest and *submit* a statement from the title company verifying that such an endorsement will be provided.

See SPRAG for additional requirements if 32B(2)(c) is to be used.

- d) I will utilize Subsection E of Section 11018.5(a)(2) of the Business and Professions Code (Alternative Plan) (CC for DBP). .... ☐ Yes ☐ No ☐ NA

If YES, *indicate* what will be utilized and submit in proposed form along with security agreement and escrow instructions and RE 611A: (It is not necessary to submit proposed instruments if **unmodified** DRE forms will be used.)

- ☐ Set-aside letter from an institutional lender  
☐ Letter of credit from an institutional lender  
☐ Other (submit proposal)

*Note:* DRE forms are available for various security instruments and related agreement and escrow instructions.

C. Is this project:

- 1) A "cluster housing" type cooperative? ..... ☐ Yes ☐ No  
2) A "non-cluster housing" type cooperative? (*All houses are separate, detached structures.*) ..... ☐ Yes ☐ No

**33. RE 639 (CONVERSIONS ONLY) (cc for DBP)**

- A. Is this project a conversion? ..... ☐ Yes ☐ No

If YES, when was the project constructed? ..... (Date) \_\_\_\_\_

See SPRAG for details and *submit* RE 639.

**34. SUBSIDY/MAINTENANCE AGREEMENT (cc for DBP)**

- A. Will any of the costs of operating and maintaining common areas and providing common services be subsidized in any manner by the subdivider? ..... ☐ Yes ☐ No

If YES, *submit* evidence of compliance with Regulation 2792.10, Subsidization By Subdivider, including the following in proposed form:

- 1) Security instrument (not applicable for a cash deposit or if **unmodified** DRE form will be used).  
2) Contract for subsidy and/or maintenance.  
3) Security agreement and escrow instructions. (Not applicable if **unmodified** DRE form will be used.)  
4) Description of the accounting procedure for non-cash subsidy arrangement.

*Note:* DRE forms are available for security instruments and related agreement and escrow instructions. The amount of the security must be deemed acceptable by DRE.

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**35. CONTRACTS OBLIGATING HOMEOWNERS ASSOCIATION (CC FOR DBP)**

- A. Are there any existing or proposed contracts (including management arrangements) obligating the cooperative association *wherein the subdivider or his subsidiary is a party to the contract?* ..... ☐ Yes ☐ No

If YES, *submit* a copy of each such contract.

**36. USE OF COMMON AREAS FOR SALES [Master File Item] (cc for DBP)**

- A. Will any portion of the common area be used by the subdivider to carry out the sales program subsequent to close of the first escrow? ..... ☐ Yes ☐ No

If YES, *submit* a copy of the agreement to be entered into with the cooperative.

**37. PROPOSED COOPERATIVE BUDGET(S) INCLUDING PROJECT INVENTORY (cc for DBP)**

- A. *Submit* a copy of the proposed budget on RE 623 including project inventory and all worksheets. RE 684A, Certification (Approved Budget), may not be used if there have been (or will be) any changes to the previously approved budget including changes as a result of any natural hazard area.

*Note:* See Part I, items XIII and XIV and Figures A and B; the Operating Cost Manual for Homeowners Associations; and SPRAG for details. A Publications Request form is part of this filing package.

- B. Will there be a capital contribution or start-up fund requirement imposed on the owners? ☐ Yes ☐ No

If YES, submit necessary documentation creating the funding and security arrangements which includes a proforma security instrument (not applicable for a cash deposit) and security agreement with escrow instructions. See SPRAG for details.

*Note:* The amount of the security must be deemed acceptable by DRE.

**38. INFORMATION ON FUTURE PHASES (cc for DBP)**

- A. Is this a phased project with subsequent phases to be completed? ..... ☐ Yes ☐ No

If YES, *submit* a proposed homeowners' association budget(s) for the project for each annexation that is planned to occur within the next three years. Use RE 623. Separately tab each budget as item 38A.

- B. If YES to 38A, does the map for this phase show proposed future phases? ..... ☐ Yes ☐ No ☐ NA

If NO, *submit* a map of the entire project with proposed phases delineated.

- C. Has a final public report on a previous phase(s) been issued? ..... ☐ Yes ☐ No ☐ NA

1) If YES,

- a) Was the final public report for phase one issued 18 months ago or longer? ..... ☐ Yes ☐ No ☐ NA

- b) Has at least one escrow in phase one been closed for at least one year? ..... ☐ Yes ☐ No ☐ NA

2) If YES to 38C(1)(a) or 38C(1)(b), submit:

- a) A copy of the most recent financial report of the association.

- b) A copy of the most recent budget.
- c) A statement from the association showing the dollar amount of past due assessments, if any, for the most recent time period available, including information pertinent to the developer's payment of assessments.
- d) A reserve analysis. (If this is not available, submit financial reports for last three years or from start-up, whichever is less.)
- e) State the date (month and year) of the most recent DRE budget review. (If uncertain, check the Maintenance and Operational Expenses section of the most recently issued final public report for this project.) ..... (Date) \_\_\_\_\_

### **\*39. ESCROW INSTRUCTIONS**

- A. Submit a copy of escrow instructions, *completed in sample form*, to show the substance of a typical transaction. If a conditional public report is to be issued, an additional copy of escrow instructions must be submitted containing additional provisions referred to in item 1(a). In addition to any other applicable provisions, escrow instructions must include the following:
  - 1) Escrow instructions must provide for return of all purchase funds to non-defaulting buyers in the event escrows are not closed on a reasonable date, e.g., three months, six months, nine months up to a maximum of one year, which amount of time must be specified in the instructions.
    - a) If for a conditional public report, also provide for the return of the entire sum of money advanced by the purchaser if a final subdivision public report has not been issued within six months of the date of issuance of the conditional public report or the purchaser is dissatisfied with the public report because of a change pursuant to Section 11012.
    - b) If a conditional public report will be issued, also provide that no escrow will close, funds will not be released from escrow, and the interest contracted for will not be conveyed/leased until a current final public report for the subdivision is furnished to the purchaser.
  - 2) In addition, they shall provide that the escrow is not to be closed and funds are not to be released from impound until a membership has been conveyed to the purchaser, free and clear of any blanket encumbrance [except for funds covered by any purchase money security posted pursuant to Section 11013.2(c), 11013.2(d), 11013.4(b) or 11013.4(f) of the Business and Professions Code]. *Note:* Not necessarily applicable to limited equity housing cooperative.
  - 3) Escrow instructions must be signed with original signatures (not photocopies) of the escrow officer or his designee and the subdivider verifying that all escrow instructions will conform to the sample.
- B. The closing of the first sales escrow to be conditioned upon the sale of a stated percentage (presale) of the memberships in the project. Refer to Regulation 2792.13

#### *Note:* Cooperative Conversions Only

- C. If the application is for a cooperative conversion, the escrow instructions must provide that escrows will not close and funds are not to be released from impound until the prospective purchaser has acknowledged receipt of either a statement listing all substantial defects or malfunctions or a statement of disclaimer and the required rescission period has expired pursuant to Civil Code Section 1134.

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**40. CONVEYANCE OF COMMON AREA [§11018.5(D) and REGULATIONS 2792.15(A) and 2792.8(A)(3)]**

A. Is this a stock cooperative? ..... ☐ Yes ☐ No

If YES, submit a separate set of escrow instructions completed in sample form showing conveyance of the project from the subdivider/owner to the corporation, and one of the following (check box):

- 1) ☐ An executed grant deed accompanied by evidence of lien-free title
- 2) ☐ A trust agreement providing for conveyance in trust for the “cooperative corporation”.

B. Is this project a limited equity housing cooperative? ..... ☐ Yes ☐ No

If YES, submit escrow instructions and sample grant deed indicating conveyance of project to the limited equity housing cooperative, specifying the blanket encumbrances, if any.

Escrow instructions to be completed and certified by escrow company.

**41. REGULATION 2792.9 — ASSESSMENT GUARANTEES**

*Submit* evidence of compliance with Regulation 2792.9 to assure subdivider’s payment of assessments for maintenance and operational expenses. Indicate below how you will comply.

A. I will comply with Regulation 2792.9(a)(1). ..... ☐ Yes ☐ No

If YES, escrow instructions, item 39, must provide that the first 80% of all interests in the subdivision covered by the final public report have been sold and escrows will close simultaneously.

B. I will comply with Regulation 2792.9(a)(2). ..... ☐ Yes ☐ No

*Submit* proforma security agreement and escrow instructions as well as the proforma security device if using other than a cash deposit. (Not applicable if **unmodified** DRE forms will be used.)

C. I will comply with Regulation 2792.9(a)(3). ..... ☐ Yes ☐ No

If YES, *submit* the complete proposed alternative plan.

*Note:* DRE forms are available for security instruments and related agreement and escrow instructions. The amount of the security must be deemed acceptable by DRE.

**\*42. RE FORMS 616, 648 [Master File Item]**

A. Are the management documents submitted with this application pre-approved under the “master management document” (MMD) system? ..... ☐ Yes ☐ No ☐ NA

*Note:* Check NA if this is a subsequent phase for which the documents were approved as part of the phase one filing.

- 1) If NO, *submit* a completed RE 648.

2) If YES, comply with a, b and c below:

- a) *submit* a completed RE 616B, and
- b) *submit* a copy of RE 616C issued by DRE.
- c) *list* master management document number: .....

MMD# \_\_\_\_\_

*Note:* The submitted master management documents must be red-lined to show project-specific additions and/or deletions as well as revisions to comply with current statutes. See SPRAG for red-lining guidelines.

Proposed master management documents may not be submitted with an original filing with the intent of having them approved as MMD's. They must be submitted alone, separate from any public report application.

### 43. PREVIOUS MANAGEMENT DOCUMENTS

- A. Is this application for a subsequent phase/map of a phased/multiple-map project? ..... ☐ Yes ☐ No
- B. If YES, has a previous filing been designated as a "master file"? ..... ☐ Yes ☐ No ☐ NA
- 1) If YES, have there been any changes or amendments to the previously-approved management documents subsequent to the issuance of the final public report? ..... ☐ Yes ☐ No ☐ NA
- a) If NO, it is not necessary to submit duplicates of recorded, previously-approved documents (enter "M. File" in Part II for the appropriate items).
- b) If YES, *submit* the amended pages of the previously-approved documents, red-lined to show changes.

### \*44. ARTICLES OF INCORPORATION FOR COOPERATIVE [Master File Item]

- A. Are you submitting filed articles of incorporation at this time? ..... ☐ Yes ☐ No

If NO, *submit* a copy of the proposed articles of incorporation.

*Note:* If this is an LEHC, articles may need to be organized pursuant to the Non-profit Public Benefit Corporation Law; otherwise, articles must be organized pursuant to the Non-profit Mutual Benefit Corporation Law.

### \*45. BYLAWS (cc for DBP) [Master File Item]

- A. Will bylaws be used? ..... ☐ Yes ☐ No

If YES, *submit* a copy of the proposed bylaws.

### \*46. EXISTING COVENANTS, CONDITIONS AND RESTRICTIONS (CC&Rs)

- A. Are there presently any recorded CC&Rs other than those master file items under item 43? ☐ Yes ☐ No

If YES, *submit* a copy of **all** existing restrictions bearing evidence of recordation.

### \*47. COVENANTS, CONDITIONS AND RESTRICTIONS (CC&Rs) (cc for DBP) [Master File Item]

- A. *Submit* a copy of the CC&Rs to be used for this project. **Do not record the CC&Rs until after DRE's review and approval of the proposed CC&Rs.**

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*Note:* If this filing is to serve as a master file for a phased project, proposed declaration of annexation item 49 should be submitted for review with this filing.

B. Submit master lease and all documents relating to lease such as assignment, occupancy agreement, etc.

C. Are there any other conditions or provisions which may limit the use or occupancy or resale of the offered shares/memberships? ..... ☐ Yes ☐ No

If YES, submit.

D. Is this a limited equity housing cooperative (LEHC)? ..... ☐ Yes ☐ No

If YES, include in the CC&Rs the method of determination of transfer value in compliance with Health & Safety Code §33007.5(b).

#### **48. SUBORDINATION**

A. Is this project a stock cooperative? ..... ☐ Yes ☐ No

B. If yes, will lots/units be subject to any monetary encumbrance(s) recorded prior to the final recorded documents establishing the cooperative corporation that will remain on the project after the closing of the first escrow? ..... ☐ Yes ☐ No ☐ NA

If yes, check appropriate box below and submit evidence indicating how these encumbrances will subordinate to the cooperative corporation.

1) ☐ Executed and recorded subordination agreement(s).

2) ☐ Copy of signed subordination agreement(s) to be recorded with executed escrow instructions stating that no escrows will close until the attached subordination agreement(s) are recorded.

3) ☐ Copy of escrow instructions that contains a clause stating that no escrow shall close until the escrow holder has received written notice from a title company that it will issue a title insurance policy that ensures that all encumbrances are subordinated to the documents creating the cooperative corporation. In addition, submit letter from title company stating that they can offer such a policy.

C. Is the subdivision covered by this application a subsequent phase/increment of a phased/incremental project? ..... ☐ Yes ☐ No

D. If yes, will there remain on record, any monetary encumbrance after the recording of a declaration of annexation on any additional CC&Rs? ..... ☐ Yes ☐ No ☐ NA

E. If yes to D above, does the prior recorded subordination instrument cover this phase/increment? ..... ☐ Yes ☐ No ☐ NA

F. If no to E above, submit evidence of subordination to these recorded instruments.

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**\*49. DECLARATION OF ANNEXATION/SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS** (*cc for DBP*)

- A. If this is a subsequent phase of a phased project, will a declaration of annexation or supplemental declaration of covenants, conditions & restrictions be utilized? ..... ☐ Yes ☐ No ☐ NA

If YES, *submit* a copy of proposed document. (Refer to restrictions of record to determine time period for annexation of this phase.)

**50. DOCUMENTS TO BE FURNISHED**

*Note:* See Section 11018.6 of the Business and Professions Code and Section 1368 of the Civil Code for an enumeration of the documents which must be given to the purchaser prior to the transfer of an interest.

- A. Will you give the owners association copies of guarantees, warranties for equipment and fixtures that will inure to the benefit of that owners association? ..... ☐ Yes ☐ No ☐ NA
- B. Will you give a copy of the DRE-approved budget to each purchaser and to the homeowners association? ..... ☐ Yes ☐ No
- C. Will each purchaser be provided with a copy of the cooperative plan? ..... ☐ Yes ☐ No
- D. Is this project a conversion? ..... ☐ Yes ☐ No

If YES, will the homeowners' association be provided with copies of contracts for construction and/or renovations affecting the common areas of the project? ..... ☐ Yes ☐ No ☐ NA

**51. DUPLICATE BUDGET PACKAGE**

- A. *Submit* a duplicate budget package (DBP) as described and enumerated in Part I. All items must be tabbed. Or, if applicable, submit RE 684A, Certification (Approved Budget).

## CERTIFICATION

*I/We hereby certify under penalty of perjury that the information contained in Parts II and III of this form constitutes my/ our Notice of Intention to sell or lease subdivision lands, and that the information, together with any documents submitted herewith are full, true, complete and correct; and that I/we am/are the owner(s) of the lots, units or parcels herein described, or will be the owner(s) at the time lots or parcels, improved or otherwise, are offered for sale or lease to the general public – or that I am the agent authorized by such person(s) to complete this statement.*

*Note:* • Certification signed outside the State of California must be acknowledged by a notary public.

- Prior to signing, review all answers submitted. Errors or omissions must be corrected and initialed by the subdivider(s).
- If the subdivider is a corporation, limited liability company (LLC), partnership, etc., the individual(s) signing the certification must stipulate the capacity (e.g., president, manager, general partner, etc.) of the signer and an authorization to sign (e.g., a corporate resolution, LLC statement, partnership statement, etc.) must be submitted. *[Master File Item]*
- If an agent will be submitting documents to Department of Real Estate on behalf of the subdivider, the subdivider must provide written authorization to that effect. *[Master File Item]*

|                              |      |
|------------------------------|------|
| SIGNATURE OF SUBDIVIDER<br>➤ | DATE |
|------------------------------|------|

|                            |          |
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| PRINTED NAME OF SUBDIVIDER | CAPACITY |
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NAME OF CORPORATION, LLC, PARTNERSHIP, ETC.

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NAME OF CORPORATION, LLC, PARTNERSHIP, ETC.

BUSINESS ADDRESS

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| CITY OR TOWN | COUNTY | STATE |
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